

**STATE OF ILLINOIS  
ILLINOIS LABOR RELATIONS BOARD  
STATE PANEL**

**Minutes of the State Panel Meeting  
Held on September 24, 2013**

**I. OPENING OF MEETING 1:00 P.M.—160 N LaSalle Street, S-401, Chicago, Illinois**

**II. PRESENT**

John Hartnett, Chairman of the Board; Paul Besson, Member of the Board; James Brennwald, Member of Board; Michael Coli, Member of the Board; Albert Washington, Member of the Board; Melissa Mlynski, Executive Director; Jerald S. Post, General Counsel; and staff members.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD September 10, 2013**

Chairman Hartnett called for approval of the minutes of the September 10, 2013 meeting. Member Besson moved to approve the minutes. Member Washington seconded. The Board passed the motion unanimously, by a voice vote.

**IV. BOARD ACTIONS**

- 1.** Case No. S-DE-14-047 (Ill. Commerce Comm'n)  
Case No. S-DE-14-083 (Ill. Workers' Compensation Comm'n)  
Case No. S-DE-14-086 (Ill. Pollution Control Bd.)

Chairman Hartnett moved to hear the oral argument scheduled in Case Nos. S-DE-14-047 (Ill. Commerce Comm'n), S-DE-14-083 (Ill. Workers' Compensation Comm'n), and S-DE-14-086 (Ill. Pollution Control Bd.). Joseph Gagliardo presented oral argument on behalf of the Illinois Department of Central Management Services and Gail Mrozowski presented oral argument on behalf of the American Federation of State, County and Municipal Employees, Council 31.

At the conclusion of the oral argument, Chairman Hartnett asked General Counsel Post to discuss the issues presented in the case. After detailed discussions, General Counsel Post recommended that the Board consolidate these cases for the purpose of issuing a single board decision covering all three cases. Member Brennwald moved to consolidate the cases. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote. Then General Counsel Post recommended that the Board accept the ALJ's recommendations. After discussion, Member Brennwald moved to accept General Counsel Post's recommendations. Member Besson seconded the motion. The motion passed with three ayes and two nays; Chairman Hartnett and Member Coli dissented.

- 2.** Case No. S-DE-14-005 (Ill. Criminal Justice Information Auth.)  
Case No. S-DE-14-008 (Dep't of Commerce & Econ. Opportunity)  
Case No. S-DE-14-009 (Ill. Environmental Protection Agency)  
Case No. S-DE-14-010 (Dep't of Natural Resources)  
Case No. S-DE-14-017 (Dep't of Public Health)  
Case No. S-DE-14-021 (Dep't of Revenue)  
Case No. S-DE-14-026 (Dep't of Corrections)  
Case No. S-DE-14-028 (Dep't of Central Management Services)  
Case No. S-DE-14-030 (Dep't of Employment Security)  
Case No. S-DE-14-031 (Ill. State Police)  
Case No. S-DE-14-032 (Dep't of Healthcare & Family Services)  
Case No. S-DE-14-034 (Dep't of Veterans Affairs)  
Consolidated Case Nos. S-DE-14-039 through S-DE-14-045 (Dep't of Human Services)

Chairman Hartnett asked General Counsel Post to call and present the cases. General Counsel Post stated that on August 8, 9 and 14, 2013, the Illinois Department of Central Management Services (CMS), on behalf of the Governor, filed pursuant to Section 6.1 of the Act petitions seeking to designate certain positions within various State agencies as excluded from the collective bargaining provisions of Section 6 of the Act. General Counsel Post then recommended that the Board consolidate these cases for the purpose of issuing a single board decision covering all 19 cases. He further recommended that the Board reject AFSCME's arguments that it should have been afforded additional procedures and more time and accept the ALJs' recommendations in all 19 of these cases. After discussion, Member Coli moved to accept General Counsel Post's recommendations to consolidate the cases. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote. Member Besson then moved to accept General Counsel Post's recommendation to accept the ALJs' recommendations. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote. Member Brennwald then made a motion to admonish one of the parties. Member Coli seconded the motion. The motion passed with four ayes and one nay; Member Besson dissented.

**3. Case No. S-DE-14-085 (Dep't of Employment Security)**

General Counsel Post called the case, noted that no party filed exceptions to ALJ Hamburg-Gal's RDO and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**VI. ADJOURNMENT**

Chairman Hartnett called for a motion to adjourn. Member Coli made a motion to adjourn the meeting, and the Board passed it unanimously, by a voice vote.

**Adopted and approved by the Chairman and Members of the State Panel of the Illinois Labor Relations Board, in Springfield, Illinois, this 8<sup>th</sup> day of October, 2013.**